

Bill 7 (2019), CD1

Additional Testimony



May 2, 2019

Honorable Kymberly Pine Chair
Honolulu City Council Committee on Zoning and Housing
Honolulu Hale
Honolulu, Hawaii 96813-3077

RE: Bill No. 7, Relating to Affordable Rental Housing, CD2 (Proposed)

Chair Pine, Vice-Chair Fukunaga, and members of the Committee:

My name is Gladys Quinto Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in **strong support of Bill No. 7, in its original form**, which proposed to create a temporary program to accelerate the construction of affordable rental housing on apartment- and business mixed use-zoned properties by relaxing zoning and building code standards, and offering financial incentives.

We encourage the Council to explore new ways to incentivize development of more housing at all price points. Reducing regulatory barriers is one way to incentivize more housing development. The National Association of Home Builders found that in 2018, approximately 30% of the price of a new residential unit is attributed to compliance with government imposed exactions, regulations and codes. Relaxing zoning and building code standards while not compromising public health and safety will address the underlying issue of housing affordability.

The changes proposed in CD 2, appear to contradict the original intent of the bill which was to "relax existing zoning and building codes while not compromising public health and safety". The Council needs to balance "reasonable building requirements" with the desire result of making housing more affordable in Honolulu. We need to avoid legislation that essentially kills the economic viability of a project by imposing more and more requirements on the developer.

We are in strong support of the original version of Bill No. 7, as it is a step in the right direction to provide more affordable units in Honolulu. We appreciate the opportunity to provide comments on this matter.

Written Testimony of Samuel Dannaway. PE, Fire Protection Engineer

dannaways@coffman.com

Subject Bill 7 (2019) BILL FOR AN ORDINANCE RELATING TO
AFFORDABLE RENTAL HOUSING.

Respected council persons. Thank you for allowing me to provide testimony today. My name is Sam Dannaway. I am a licensed Mechanical Engineer in the State of Hawaii. Today, I am representing myself and I speak in strong opposition of this bill.

Several of the proposed reductions in fire protection and life safety relative to building and fire codes have the potential to create dangerously unsafe conditions. Let me add my name to the list of those that told you so, before the tragedy happens.

A few of my specific objections to the provisions in this bill are as follows:

1. This bill makes several changes to current Honolulu Building and Fire Code requirements that significantly lessen the levels of fire protection and life safety beyond the minimum standard of care as provided by our current building and fire codes. Changes to the building and fire code should not be made outside of the Honolulu's proven building and fire code development process.

2. Sec. __-3.2(d) Allow the installation of a sprinkler system that does not require compliance with Honolulu Building Code Section 903, which contains the

sprinkler installation standards of the building code, i.e., NFPA 13, NFPA 13D, and NFPA 13R. The sprinkler system requirements are then only addressed in subparagraph (1) through (9) of this section. This is not adequate information to base the design and installation of a sprinkler system. It is a “lawsuit waiting to happen” as these requirements do not come close the standard of care required for design and installation of a fire sprinkler system.

3. Sec. __-3.2(d)(4) could result in sprinkler heads being used outside of their listing or approvals (by Underwriters Laboratory (UL) or Factory Mutual (FM)).

4. Sec. __-3.2(d) (4), the minimum number of sprinklers required to be hydraulically calculated is not indicated. By this paragraph only one sprinkler needs to provide the required discharge density. Even a single-family home sprinklered to the accepted NFPA standard requires at least a two-sprinkler design. Also, it could be interpreted that a maximum of four sprinkler heads is all that is required for a dwelling unit, when more than four sprinklers may be required by national standards to provide proper coverage of a dwelling unit.

5. Sec. __-3.2(d)(5) There is no requirement for the pump to be UL listed or FM approved for fire protection service. Again, this provision does not come close the standard of care required for design and installation of a fire sprinkler system.

6. Sec. __-3.2(d)(5) (6) would permit a signal standpipe riser in those buildings without one exit. Current building code would require standpipes in each of the

required two exits. A single standpipe could seriously impair fire department operations during a fire on an upper floor, especially, if the single stairway is needed for evacuation of residents.

7. Sec. __-3.2(f)(3). This section would allow a seven-story building to have a single exit. If that single exit becomes blocked by fire, occupants on all floors could be trapped.

8. Sec. __-3.2(f)(3). This section also does not require at least half of the exits to discharge directly to the outside at the level of exit discharge. The ground floor may not be a qualified level of exit discharge.

9. Sec. __-3.2(d) This section makes not provision for electrical supervision of the sprinkler system or associated pumps as required by the building. Without automatic notification to responsible parties of a sprinkler waterflow or system impairment, residents can be put at risk.

10. Sec. __-3.2(f). The term Fire Escape Stairs has a separate meaning in the building code from an Exit Stair. Fire Escape is a lesser quality means of escape that has limited use in the building code and is not normally permitted for use in residential buildings.

11. In my view, I doubt any competent licensed mechanical engineer in the State of Hawaii can responsibly endorse the sprinkler approach presented in this bill.

12. In addition to the technical issues involved with the fire sprinkler system provisions in this bill, the bill would limit those the companies that could install fire sprinklers. Since, the provisions require the sprinkler system to be integrated with the plumbing only contractors competent to do both can do this work. That limits the number of companies to a handful of contractors in this town and essentially eliminates all companies that install sprinklers and not plumbing. This would not appear to be away to save costs.

Several of the proposed reductions in fire protection and life safety relative to building and fire codes have the potential to create dangerously unsafe conditions.

Thank you,



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Testimony by Suzanne Young, CEO Honolulu Board of REALTORS®

**In Support of Bill 7 - Relating to affordable rental housing.
Honolulu City Council Committee on Zoning and Housing
Thursday, May 2, 2019
Honolulu Hale**

Aloha Chair Pine and Committee Members,

The Honolulu Board of REALTORS (HBR) supports Bill 7 relating to affordable rental housing. The bill would establish a temporary program to accelerate construction of affordable rental housing in the apartment and business mixed use zoning districts by relaxing certain zoning and building code standards and offering certain financial incentives.

Bill 7 is not a “cure all” for the current affordable housing crisis facing Oahu, but it provides one housing solution for a segment of the market that specifically addresses inventory and its affordability, in particular affordable rentals. The bill attempts to lessen zoning regulations and codes, waive Department of Planning and Permitting (DPP) fees, reduce real property taxes to incentivize owners to re-build, build apartments in zoned apartment areas that house forty to sixty-year old walk-ups that are two and three story situated on smaller parcels of land, and in desperate need of redevelopment. This ability to increase the number of available units can also serve as a possible solution to the proliferation of “monster homes” in residential communities.

HBR supports the concept to reduce government regulation and allow developers to build a product that meets the needs of struggling low income families. We continue to look forward to working with city leaders to address the affordability and availability of housing on Oahu.

Mahalo for the opportunity to testify on Bill 7.